MSW 8X5408 19 Feb 08

FILED

2008 FEB 19 AM 10: 18

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	)	Mag. Case Number: '08 MJ 0452
v.	)	COMPLAINT FOR VIOLATION OF
BAUCER, Lizbeth Defendant,	)	Title 21, U.S.C., Sections 952 and 960 Importation of a Controlled Substance

The undersigned complaint being duly sworn states:

On or about 2/17/2008, within the Southern District of California, Lizbeth BAUCER, did knowingly and intentionally import approximately 49.45 kilograms of Marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
SPECIAL AGENT (SA)
IMMIGRATION & CUSTOMS
ENFORCEMENT (ICE)

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 19th DAY OF February, 2008.

MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent (SA) Don Buffington, declare under penalty of perjury, the following is true and correct:

On 2/17/2008, at approximately 00:37 HR, Lizbeth BAUCER entered the United States from the Republic of Mexico at the San Ysidro Port of Entry, San Diego, California. BAUCER was the driver and sole occupant of a red Toyota 4Runner bearing California license 6AVM556. The vehicle was referred to the secondary inspection area where 20 packages containing approximately 49.45 kilograms of Marijuana were found concealed in all four tires. A presumptive test of one of the packages revealed a positive reaction to the presence of Marijuana. BAUCER waived her constitutional rights; she then stated she "did it" but that her boyfriend had been taken the vehicle for a short period time on 2/16/2007. BAUCER then stated that loading all four tires "takes four hours, No?", and that her boyfriend was gone and back "real quick." BAUCER then stated that she knows her boyfriend was the person responsible for the vehicle being loaded with marijuana. When asked about her boyfriend's identity BAUCER refused to answer any more questions.

BAUCER was arrested and charged with violation of Title 21 USC 952, 960, Importation of a Controlled Substance, and was booked into the Metropolitan Correction Center, San Diego, CA. The vehicle and Marijuana were seized under seizure number 200825049000401.

Executed on 2/17/2008 at 1625 Hours

Special Agent (SA) Don Buffington
Immigration & Customs
Enforcement (ICE)

On the basis of the facts presented in the probable cause statement consisting of 1 page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on 2/17/2008, in violation of Title 21, United States Code, Section(s) 952 & 960.

United States Magistrate Judge

2/17/08 1055 hrs
Date/Time